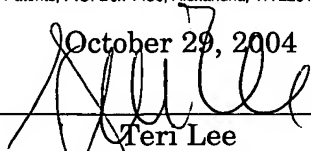


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of Dan L. Eaton et al. Serial No.: 10/063,568 Filed: May 2, 2002 For: <i>Secreted and Transmembrane Polypeptides and Nucleic Acids Encoding the Same</i></p>	<p>Group Art Unit: 1647 Examiner: Rachel Kapust Huccicutt Confirmation No: 9762 CUSTOMER NO: 09157</p> <p><b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 29, 2004  Teri Lee</p>
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**NOTICE OF APPEAL**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

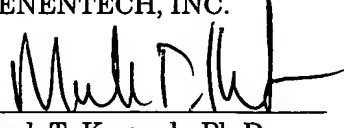
Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated October 15, 2004, of the Primary Examiner finally rejecting claims 1-5.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$340 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application. **A duplicate copy of this Notice is enclosed for this purpose.**

11/02/2004 HALI11 00000052 070630 10063568  
01 FC:1401 340.00 DA

Date: October 29, 2004

Respectfully submitted,  
GENENTECH, INC.

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